UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,005	08/28/2001	Larry Edward Schessel	1992P07463 US09	9589

7590 05/07/2004

Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER	
FOSTER, ROLAND G	

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/942,005	SCHESSEL, LARRY EDWARD	
	Examiner	Art Unit	
	Roland G. Foster	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *5,6 and 39-76* is/are pending in the application.

4a) Of the above claim(s) *5,6,39-42, 53-61 and 66-71* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *43-45,48-52 and 62-65* is/are rejected.

7)☒ Claim(s) *46 and 47* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election of Invention II (claims 43-52 and 62-65) in Paper No. 11 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 43-45, 48, 49, 51, 52, and 63-65 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,696,977 to Hansen et al. ("Hansen").

With respect to claim 43, see the following paragraphs for details on how Hansen anticipates particular limitations within the claim.

The limitation "basic call processing program implementing a basic call chain and a plurality of feature programs optionally executed at plurality of trigger points during execution..." reads on Hansen as follows. A basic call processing program is executed by various scripts (forming the call chain) where the scripts are "feature programs" executed a

trigger points corresponding to discrete process signals and/or events (triggers such as "onhook") that cause, or trigger, the execution of the scripts (Figs. 3-5 and col. 3, lines 24-67). The scripts (feature programs) implements features such as dial, onhook, ring, etc. (Figs. 3-5). The discrete process signals (triggers) are reached during execution of the state machine program routine (basic call program).

The limitation "a memory for storing data relating feature services to the basic call chain" reads on Hansen as follows. A memory table structure is accessed comprising a plurality of tables containing references to the process states and various groups of instructions for each process signal (data relating feature services to the call chain) (Figs. 3-5 and col. 3, lines 24-35).

The limitation "a feature interaction control program that accesses the memory for storing" reads on col. 3, lines 24-61, where the lookup process in the control structures is performed by the finite state machine program (feature interaction control program).

The limitation "a. executing, at each trigger point, the feature interaction control program" reads on col. 3, lines 24-61, where the finite state machine (feature interaction control program), in response to the process signal (trigger point), looks up the required script (executes).

The limitation "b. determining, based upon memory in the data for storing, which feature services are available to be accessed at the respective trigger point during execution of the basic

call program" reads on Hansen as follows. The current state (e.g., busy, dialing, etc.) in the memory table is used determine which group of instructions (feature services, e.g., ringing, apply audible, apply busy tone, etc.) are available to be executed by scripts at each discrete process signal or event (trigger point, e.g., enter) as discussed above (Figs. 3-5).

The limitation "c. blocking certain available feature services from being accessed at the respective trigger point based on feature services that are currently accessed" reads on Hansen as follows. Each feature accessed at a respective trigger point (as discussed above) specifies a next service (e.g., nextstate idle, nextstate dialing) (Figs. 3-5). Generally, feature services not corresponding to the next available states are blocked from being accessed based on the features service currently accessed. For example, see the blocking steps as expressly disclosed (col. 3, lines 39-67).

The limitation "d. accessing, at the respective trigger point, each respective feature service which is available to be accessed and is not blocked, in a priority order for the feature services established at the most recent formatting of the system" reads on Hanson as follows. Each accessed feature service which is not blocked (as discussed above) is executed in a priority order according to the combination of current state, specified next sate, and current trigger, as discussed above. For example, the first script's first and second groups of instructions (feature services) are executed in a priority order according to the how the user programmed the precedence of the scripts (format) (col. 2, lines 60-66, col. 3, lines 1-67, and col. 6, lines 21-36). The feature services are established during the most recent formatting of the system.

Claim 62 differs substantively from claim 43 in the limitations discussed below. See the claim 43 rejection for further details.

The limitation "b. means for triggering at least one feature service in a manner independent of the feature service to be triggered" reads on Figs. 3-5 and col. 4, lines 26-60 as discussed above. The features are triggered independently of the service to be triggered. For example, current state and event information, which are independent of the desired service function, are used to trigger the service also as discussed above (i.e., current state and event information are independent variables and the desired service is the dependent variable).

In addition, the features are arranged in an "administrable format" (col. 6, lines 21-27).

With respect to claims 44, 45, 63, and 64, the features can be activated at specific trigger times (col. 10, lines 1-12). See also col. 33, lines 49-62 and col. 34, lines 32-39, where time-based triggers determine which feature services are available to be implemented by matching the identity of the alarm to a tag. Once a match occurs, the feature service activation disclosed in col. 3, lines 24-61 and explained above applies. The priority order of the features is according to the how the user programmed the precedence of the scripts (format) also as discussed above. The remaining limitations were substantially addressed in the claim 43 and 62 rejection above.

With respect to claim 48, the "feature call software" reads on the various scripts comprising the base call processing chain as discussed in the claim 43 rejection above.

With respect to claim 49, Figs. 3-5 illustrate that data is accessed in the scripts (services). For example, script 323 accesses "$source" data. The data is arranged in a custom format as specified by the user writing scripts at terminal 109 and computer 101 and downloading these scripts into each customer unit 102 (col. 6, lines 21-36).

With respect to claim 51, the basic call software provides for a user writing scripts at terminal 109 and computer 101 to define trigger points that trigger a feature service. See Figs. 3, 4, and col. 6, lines 21-36.

With respect to claim 52, during execution of the call software package, the user, writing scripts at terminal 109 and computer 101, defines trigger points that trigger a feature service. See Figs. 3, 4, and col. 6, lines 21-36.

With respect to claim 65, the call processing system is implemented in software (e.g., scripts) and thus requires a processor to execute.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen, as applied to claim 43 above, and further in view of U.S. Patent No. 4,907,259 to Frech.

Hansen discloses that the system subscriber requests certain services by performing actions that cause certain process signals (triggers), such as taking the telephone off-hook. See col. 6, lines 37-68. Hansen also disclose a "logical table format" (see the claim 43 rejection for further details).

Hansen fails to disclose storing the data in a bit map format. However, Hansen teaches the use of a table in which the data is stored.

Frech teaches the use of bit map call information, including priority levels as well as busy-idle status (col. 7, lines 2-39). The bit map is used to assist in the determination of how and where to route a call, including comparing bit map stored data with feature ID's to determine call priority (col. 7, lines 52-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add the use of a bit map formation as taught by Frech to the real-time call control method disclosed by Hansen.

The suggestion/motivation for doing so would have been that bit map storage enables rapid comparison of information as to how to handle a call especially useful in the real-time call control system disclosed by Hansen.

Allowable Subject Matter

Claims 46 and 47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Examiner's Reasons for Allowance

Claim 46 is directed to a detailed method with step iv repeating steps i-iii. Neither the closest prior art of record Hansen (as applied above) nor the remaining art of record teaches or fairly suggests substantially modifying Hansen in order to arrive at the invention as claimed in detail by the applicant.

The above reasons for allowance are based on the claims as presently set forth in their totality. The above reasons for allowance should not be interpreted as indicating that amended claims broadly reciting certain limitations discussed in the above reasons for allowance would be allowable. A more detailed reasons for allowance may be set forth in a subsequent Notice of Allowance if and when all claims in the application are put into a condition for allowance.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roland Foster whose telephone number is (703) 305-1491. The examiner can normally be reached on Monday through Friday from 9:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S. Tsang, can be reached on (703) 305-4895. The fax phone number for this group is (703) 872-9309.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 306-0377.

Roland G. Foster
Primary Patent Examiner
April 23, 2004